IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Bail Appl..No. 6978 of 2006()

CRIME NO. 530/06 OF KASARAGOD POLICE STATION

PETITIONER/7TH ACCUSED

V.SUDHAKARAN,
DISTRICT SOCIAL WELFARE OFFICER,
(UNDER SUSPENSION), KASARAGOD.

BY ADV. SRI.M.K.DAMODARAN (SR.)
SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
DEPUTY SUPERINTENDENT OF POLICE,
CB CID, KANNUR, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 6978 of 2006

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DATED: 01-12-2006

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the 7th accused in Crime No.530/06 of Kasaragod Police Station for an offence punishable under Sec.377 I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. Petitioner shall not commit any offence while on bail.

4. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

5. Petitioner shall surrender before the investigating officer any day between 4-12-2006 and 7-12-2006 for custodial interrogation and also for potency test.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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